



## Tuesday, September 27, 2016

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**The Probate Examiner's Office recommends approval of the following Probate matters:**

14    16CEPR00172    Homer Lewis Gibson (Estate)

**The following Probate matters have been continued at the request of the Petitioner or the Petitioner's attorney:**

None

**The following Probate matters are off calendar:**

1    06CEPR01049    Maxine Dunlop (Cons/PE)  
5    13CEPR00137    Yvette C. Greenberg (Cons/PE)  
10    15CEPR00195    William A. Liddle (Estate)

**Appearance of counsel is recommended for all remaining Probate matters set for hearing.**

**Thank you.**

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

Attorney Heather H. Kruthers (for Public Guardian, Conservator)

## Probate Status Hearing Re: Status of Filing Fourth Accounting

<b>DOD: 4/16/2016</b>	<b>PUBLIC GUARDIAN</b> , was appointed Conservator of the Person and Estate on 11/21/06.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 111315, 021616, 051716, 072616</b>	<b>Public Guardian's</b> Third Account was approved on 09/12/13. <b>Minute order from 09/12/13</b> set this status hearing regarding filing of the Fourth Account.	<b>OFF CALENDAR</b>
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	<b>Status Report Re: Filing of the Fourth Account</b> filed 5/5/2016 for the previous Status Hearing states:	<b>Fourth and Final Account and Report of Conservator, etc., filed on 9/20/2016 is set for hearing on 11/3/2016.</b>
<input type="checkbox"/> <b>Inventory</b>	<ul style="list-style-type: none"> <li>At the 2/16/2016 hearing, the matter was continued to 5/17/2016;</li> <li>On 4/16/2016, the Conservatee passed away;</li> <li>Rather than filing a 4<sup>th</sup> account and then a 5<sup>th</sup> and final account, the Public Guardian will be filing a 4<sup>th</sup> and final account;</li> <li>However, the investment statement covering April has not been received to date, which will not allow time to complete the schedules and to prepare and file the final account before 5/17/2016;</li> <li>It is respectfully requested that the next status hearing for this matter be set no sooner than <b>60 days</b> from the date of this hearing.</li> </ul>	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>		
<input type="checkbox"/> <b>Aff.Mail</b>		
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<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		<b>Reviewed by:</b> JF / LEG
<input type="checkbox"/> <b>9202</b>		<b>Reviewed on:</b> 9/21/16
<input type="checkbox"/> <b>Order</b>		<b>Updates:</b>
<input type="checkbox"/> <b>Aff. Posting</b>		<b>Recommendation:</b>
<input checked="" type="checkbox"/> <b>Status Rpt</b>		<b>File 1 - Dunlop</b>
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		

## Petition to Fix Residence Outside of California

		<p><b>MONIQUE SISSION</b>, Maternal Grandmother and Guardian appointed 2/11/09, is Petitioner.</p> <p><b>Petitioner requests</b> the Court authorize that the residence of the minor be fixed outside the State of California to an address in St. Helens, Oregon.</p> <p>Petitioner states spouse received a job offer in Portland, OR. The move will benefit the family financially as well as provide a good climate. Medical treatment and curricular (IEP) will continue in the new state.</p> <p>Petitioner states there are no visitation or contact orders.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. It appears there is a balance owing to the Court of \$730.00 for the initial Court Investigation Fee.</p> <p><b>Note: If granted, the Court will set a status hearing for establishment of a guardianship or equivalent in Oregon pursuant to Probate Code §2352(d) as follows:</b></p> <ul style="list-style-type: none"> <li>Tuesday, March 28, 2017</li> </ul>
<b>Cont. from 081616</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
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<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 9/21/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 2- Lenz</b></p>	

**3 Savanna Makai McJamerson, Niahlee Lowe, Case No. 09CEPR00559  
and Russell Lee Lowe Jr., IV (GUARD/P)**

Petitioner Ramos, Frances (Pro Per – Maternal Great-Grandmother – Petitioner)

Petitioner Hernandez, Jo-Ann – Maternal Great-Aunt – Petitioner)

**Petition for Appointment of Guardian of the Person (Russell only)**

			See petition for details.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>This petition pertains to Russell only.</u>  <b>Minute Order 8/8/16 (Temp):</b> The Court grants permission to notice Russell Lowe, Jr., father, via Facebook or text message, with all pertinent information included. Frances Ramos represents that Rose Hernandez signed the consent form on 7/22/16.
	Aff.Sub.Wit.			
✓	Verified			
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✓	Notice of Hrg			
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	Sp.Ntc.			
✓	Pers.Serv.	W		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 9/21/16	
			Updates:	
			Recommendation:	
			File 3- McJamerson & Lowe	

**Second Amended Account Current and Report of Conservator; Petition of Conservator  
Petition for its Settlement, for Allowance of Attorneys Compensation and for its Termination**

		<b>DEBRA PASLEY</b> , Mother and Conservator of the Person and Estate with bond of \$15,000.00, is Petitioner. <i>(Not verified.)</i>  <b>Account period: 3/28/13 – 10/17/14</b> <b>Accounting: <u>Not provided</u></b> Beginning POH: \$13,438.31 Ending POH: \$70,195.61 (\$1,715.61 plus a 1/5 interest in real property in Virginia valued at \$68,480.00)	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order 5/17/16: Counsel represents that they have re-established contact with their client; requests 60 days.</b>  <b>As of 9/21/16, nothing further has been filed. The following issues remain noted:</b>  <p align="center"><b><u>SEE PAGE 2</u></b></p>
Cont. from 042315, 060215, 081815, 091515, 102015, 120115, 010516, 020916, 051716, 072616			
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	<input type="checkbox"/>		
<input type="checkbox"/> <b>Verified</b>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/> <b>Inventory</b>	<input type="checkbox"/>	<b>Petitioner states:</b> Inventory and Appraisal was filed 6/5/13 showing the value of the estate to be \$13,438.31. Summary of account and supporting schedules are provided at Exhibit B. <i>(See #1.)</i>  As reflected in prior pleadings, the Conservator and Conservatee moved out of state. The Conservator was appointed Guardian of the Conservatee in Oklahoma by Court order and Letters issued on 8/13/14.  Petitioner does not request compensation for her services.  Petitioner requests attorney's compensation as set forth in Exhibit "C." <i>(See #3.)</i>  <b>Petitioner prays:</b> 1. That this account and report be approved and settled; 2. That the acts of the Conservator shown in the account and report be approved; 3. That, upon settlement of this account, the Conservator be directed to pay her attorneys, McCormick Barstow, LLP, compensation for services rendered and, as yet, unpaid; 4. That the Conservatorship in California be terminated; and 5. That the Court grant such other and further relief as it deems just and proper.	
<input type="checkbox"/> <b>PTC</b>	<input type="checkbox"/>		
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<input checked="" type="checkbox"/> <b>Letters</b>	3/28/13		
<input type="checkbox"/> <b>Duties/Supp</b>	<input type="checkbox"/>		
<input type="checkbox"/> <b>Objections</b>	<input type="checkbox"/>		
<input type="checkbox"/> <b>Video Receipt</b>	<input type="checkbox"/>		
<input type="checkbox"/> <b>CI Report</b>	<input type="checkbox"/>		
<input type="checkbox"/> <b>9202</b>	<input type="checkbox"/>		
<input type="checkbox"/> <b>Order</b>	<input checked="" type="checkbox"/>		
<input type="checkbox"/> <b>Aff. Posting</b>	<input type="checkbox"/>		
<input type="checkbox"/> <b>Status Rpt</b>	<input type="checkbox"/>		
<input type="checkbox"/> <b>UCCJEA</b>	<input type="checkbox"/>		
<input type="checkbox"/> <b>Citation</b>	<input type="checkbox"/>		
<input type="checkbox"/> <b>FTB Notice</b>	<input type="checkbox"/>		

## Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. This petition does not provide any accounting in the form required by Probate Code §§ 2620, 1060, or any mandatory schedules on the required Judicial Council forms.

Need amended petition with accounting, schedules, including required mandatory form for summary. Although Petitioner has been appointed Guardian in Oklahoma, this Court retains jurisdiction for settling accounts pursuant to Probate Code §2630.

The only schedule provided at Exhibit B is a statement of property on hand, labeled as “receipts,” but which does not show any account summary, receipts, disbursements, etc., and further indicates that the conservatorship estate cash has been reduced by \$11,722.70 without explanation.

Note: The Conservatee’s interest in the Virginia real property is not an asset of this conservatorship estate, but should be referenced in its own schedule pursuant to §1063(h).

2. This petition is not verified by the Conservator as required by Probate Code §§ 1021, 1023.  
(Note: §1023 provides that an attorney may sign or verify on a client’s behalf if he or she is absent from the county unless the person is a fiduciary appointing in the proceeding.)
3. Petitioner requests attorney’s compensation pursuant to Exhibit C, but no Exhibit C is attached.
4. Need Notice of Hearing.
5. Need proof of service of Notice of Hearing at least 15 days prior to the hearing pursuant to Probate Code §1460(b)(6) on:
  - Morgan Elizabeth Pasley (Conservatee)
  - Debra Pasley (Conservator/Fiduciary, since the petition is not verified by her)
  - David Hal Jones (Father)
6. *The Court may also require notice to the surety of any continued or future hearings.*



**6 Edith Lillian Mitchell Stevens Rev. Liv. Trust Case No. 13CEPR00943****Atty Nancy LeVan (for Petitioner, Dale Stevens)****Atty Donna Standard (for Robert Stevens)****Probate Status Hearing**

	<b>DALE STEVENS</b> , as purported, proper successor Trustee of the Edith Lillian Mitchell Stevens Revocable Living Trust presented a "partial" accounting to the court.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Status Report does not indicate that it was served on all interested parties. Local Rule 7.5B requires Notice of the Status hearing along with a copy of the Status Report to be served on all necessary parties.
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

Petitioner alleged **ROBERT STEVENS**, trustee of the Sam C. Stevens Revocable Trust was not observing the current court order nor was he administering the Sam C. Stevens Trust therefore, he could only provide the court with a partial accounting of the Edith Lillian Mitchell Stevens Revocable Living Trust.

The dispute was set for Court Trial.

**Minute order dated 8/30/16 states** Petitioner's status report must be filed by 9/23/16. Counsel and their clients are ordered to be personally present on 9/27/16.

**Status Report of Clarence Stevens filed on 9/22/16** states the trial for this petition was set for 8/2/16. There were no appearances by Robert Stevens at the 8/2/16 hearing.

The court continued the trial date to 9/27/16, at the request of attorney Standard.

Attorney Nancy J. LeVan attempted to reach attorney Standard to find out if any progress had been made with Robert Stevens.

As of the writing of this report no new information has been obtained by Mr. Stevens' attorney.

<b>Reviewed by:</b> KT
<b>Reviewed on:</b> 9/22/16
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 6- Stevens</b>



Attorney Nancy J. LeVan (for Petitioner Gary Morris, Jr., Beneficiary)  
 Attorney Jennifer Walters (for Walter A. Morris, Successor Trustee)

**Petition to Compel Accounting by Trustee of the Gary F. Morris, Sr. 2013 Trust and Petition for Distribution of Trust Assets to Doug Standing, Trustee of the Gary Morris, Jr. Trust and Petition for Fees and Costs**

<b>DOD: 10/19/2013</b>	<b>GARY MORRIS, JR.,</b> Beneficiary, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>Petitioner states:</b>	<u>Page 7B</u> is a Fee Waiver Review.
	<ul style="list-style-type: none"> <li><b>WALTER A. MORRIS</b> was appointed as Successor Trustee of the <b>GARY F. MORRIS, SR., 2013 TRUST</b> on 4/1/2014 [copy of Trust attached as Exhibit A to Declaration of Clerical Error and Omissions filed 10/2/2015];</li> </ul>	<u>Page 7C</u> is the First and Final Account and Report of Trustee.
Cont. from 100615, 111715, 010516, 020916, 031516, 050316, 053116, 071216, 072616, 081716	<ul style="list-style-type: none"> <li>The <b>GARY F. MORRIS, SR., 2013 TRUST</b> terms provide that the balance of the Trust estate, including all assets poured into the Trust as a result of Trustor's death, is to be distributed to <b>BARBARA TURNER</b>, Trustee of the <b>GARY F. MORRIS, JR., TRUST</b>;</li> </ul>	<u>Continued from 8/17/2016.</u> Minute Order states the accounting was filed and is set for 9/27/2016.
<input type="checkbox"/> Aff.Sub.Wit.	<ul style="list-style-type: none"> <li><b>BARBARA TURNER</b> resigned as Trustee of both Trusts, and <b>WALTER A. MORRIS</b> was appointed as Successor Trustee;</li> </ul>	<b>The following issue from the last hearing remains:</b>
<input checked="" type="checkbox"/> Verified	<ul style="list-style-type: none"> <li>Petitioner requests the Court compel <b>WALTER A. MORRIS</b>, as Trustee of the <b>GARY F. MORRIS, SR., 2013 TRUST</b>, to distribute the remaining assets in the <b>GARY F. MORRIS, SR., 2013 TRUST</b> to <b>DOUG STANDING</b>, Trustee of the <b>GARY F. MORRIS, JR., TRUST</b> within 30 days of the order approving this petition;</li> </ul>	1. Filing fee of <b>\$435.00</b> for the <i>Petition to Compel Accounting</i> is currently due from Petitioner, who filed the <i>Petition</i> using a fee waiver, which is pending. The <b>\$435.00</b> filing fee is appropriately payable from Trust assets. <i>Declaration of Clerical Error and Omissions</i> filed 10/2/2015 states "Petitioner agrees that a filing fee should be paid by Walter Morris, Trustee of the <b>GARY F. MORRIS, SR., 2013 TRUST</b> ; however, Walter Morris is not communicating with the beneficiary, Gary Morris, Jr., his attorney, nor the Successor Trustee of the <b>GARY F. MORRIS, JR., TRUST</b> ; the beneficiary has no access to funds of the Trust." Court removed the former Trustee such that Trust funds appear accessible to pay Court fees pending the fee waiver review.
<input type="checkbox"/> Inventory		
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<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/S		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order	~Please see additional page~	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 9/21/16
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 7A – Morris</b>

**Petitioner states, continued:**

- **GARY F. MORRIS, SR., 2013 TRUST** terms provide that the Trustee shall periodically, but not less than once each year, render an account of its administration of the Trust(s) under the Trust instrument to all current income beneficiaries;
- **GARY F. MORRIS, SR's.**, date of death is 10/9/2013 [sic]; **WALTER A. MORRIS** was appointed as Successor Trustee on 4/1/2014; to date, no accounting has been received from **WALTER A. MORRIS**.

**Petitioner prays the Court Order:**

1. An accounting from **WALTER A. MORRIS** from the period when he was Successor Trustee of the **GARY F. MORRIS, SR., 2013 TRUST** from 4/1/2014 until 8/31/2015;
2. **WALTER A. MORRIS**, Successor Trustee of the **GARY F. MORRIS, SR., 2013 TRUST**, [shall] distribute all of the remaining assets in the **GARY F. MORRIS, SR., 2013 TRUST** to **DOUG STANDING**, Trustee of the **GARY F. MORRIS, JR., TRUST** within 30 days of the signed of the order approving this *Petition*;  
and
3. Allowing attorney fees and costs to Petitioner to be paid by Walter Morris for failure to file accounting and distribute assets pursuant to **GARY F. MORRIS, SR., 2013 TRUST** terms.

**Notes for background:**

- **Order Removing Walter Morris as Trustee of the GARY F. MORRIS, SR., 2013 TRUST, Appointing Doug Standing as Temporary Successor Trustee; Instructing BofA to Transfer Funds in Checking Account Ending in #8078 to Doug Standing, Successor Trustee of the Gary F. Morris, Sr. 2013 Trust, was filed 7/20/2016.** Order finds **DOUG STANDING** is to deposit all of the funds withdrawn from the [account] into a blocked account in his name as Successor Trustee; Doug Standing is to notify the bonding company of the change of trustees and complete an application for **\$152,137.88** bond and file proof of bond with the Court; Doug Standing is to file with the Court proof of the amount in the previous account and the amount deposited into the blocked account; and **WALTER A. MORRIS** is to be personally present at the 7/26/2016 hearing.
- **Minute Order dated 5/3/2016** from a previous hearing states Ms. Walters called the Court this morning to advise of her inability to appear today; her office asked Ms. LeVan to request a continuance.
- **Minute Order dated 3/15/2016** from a previous hearing states counsel is in disagreement as to what has been provided. If all of the information has not been provided by 5/3/2016, then Walter Morris is ordered to be personally present or present via CourtCall on 5/3/2016. [Walter Morris did not appear in Court.]
- **Minute Order dated 1/5/2016** from the a previous hearing states Ms. Walters represents that there have been continued difficulties in obtaining the bank statements, but the accounting is otherwise completed and ready for filing. Ms. LeVan agrees to the accounting being filed without the missing statements; Ms. Walters will proceed with the filing.
- **Order Setting Bond Amount filed 4/25/2015** set bond at **\$286,000.00**, proof of which was filed on 5/9/2014. **Order Reducing Bond Amount filed 5/13/2015** finds that the bond amount for **WALTER A. MORRIS**, as Trustee of the **GARY F. MORRIS, SR., 2013 TRUST** is reduced to **\$152,137.88**, which is the amount of net proceeds [distributed to the seller of the Trust real property] plus **10%**.

Attorney Stefanie J. Krause (for Petitioner Gary Morris, Jr., Beneficiary)

## Fee Waiver Review

<b>DOD: 10/19/2013</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
Cont. from 100615, 111715, 010516, 020916, 031516, 050316, 053116, 071216, 072616, 081716			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified		
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<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
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<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<b>Reviewed by:</b> LEG
			<b>Reviewed on:</b> 9/21/16
		<b>Updates:</b> 9/22/16	
		<b>Recommendation:</b>	
		<b>File 7B – Morris</b>	

7B

Attorney Stefanie J. Krause (for Petitioner Gary Morris, Jr., Beneficiary)  
 Attorney Jennifer Walters (for Walter A. Morris, former Successor Trustee)

**First and Final Account and Report of Trustee and Petition for Its Settlement;  
and for Final Distribution**

<b>DOD: 10/19/2013</b>		<b>WALTER A. MORRIS</b> , [former Successor] Trustee, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Order Removing Walter Morris as Trustee of the <b>GARY F. MORRIS, SR., 2013 TRUST</b> , Appointing Doug Standing as Temporary Successor Trustee; Instructing B of A to Transfer Funds in Checking Account Ending in #8078 to Doug Standing, Successor Trustee of the Gary F. Morris, Sr. 2013 Trust, was filed 7/20/2016, finding that <b>DOUG STANDING</b> is to deposit all of the funds into a blocked account in his name as Successor Trustee.
		<b>Account period: 10/19/2013 – 9/24/2015</b>	1. Account period begins on 10/19/2013, which is several months prior to the actual appointment of Petitioner Walter A. Morris as Successor Trustee by Order Approving Petition for Appointment of Successor Trustee of the Gary F. Morris, Sr., 2013 Trust filed 4/1/2014, inferring that Petitioner marshalled assets of the Trust before he was appointed. Account period ends on 9/24/2015, several months prior to the Court's removal on 7/12/2016 of the Petitioner as Successor Trustee. Need accounting of Trust assets from the Petitioner as Successor Trustee for the period of <b>9/25/2015 to 7/11/2016</b> .
<b>Cont. from</b>		Accounting - <b>\$376,000.00 or \$373,654.07?</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$260,000.00</b>	~Please see additional page~
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$105,500.27</b> (all cash)	
<input checked="" type="checkbox"/>	<b>Inventory</b>		<b>Reviewed by:</b> LEG
<input type="checkbox"/>	<b>PTC</b>	Trustee - <b>\$3,157.00</b> (for services in the sum of \$2,415.00 and gas mileage in the sum of \$742.00)	
<input type="checkbox"/>	<b>Not.Cred.</b>		<b>Reviewed on:</b> 9/21/16
<input type="checkbox"/>	<b>Notice of Hrg</b>	<input checked="" type="checkbox"/>	<b>Updates:</b> 9/22/16
<input type="checkbox"/>	<b>Aff.Mail</b>	<input checked="" type="checkbox"/>	<b>Recommendation:</b>
<input type="checkbox"/>	<b>Aff.Pub.</b>		<b>File 7C- Morris</b>
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input checked="" type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

**NEEDS/PROBLEMS/COMMENTS, continued:**

2. *Summary of Account* on page 2 of the Petition does not list any charges and credits in equal values as required by Probate Code § 1061(b) and (c). However, *Summary of Account* attached as an Exhibit lists charges as **\$376,000.00**, while credits are listed as **\$373,654.07**, resulting in an unexplained difference of **\$2,345.93**, causing the accounting not to balance. Charges must equal credits as provided by Probate Code § 1061(c). Need clarification and/or amended account pursuant to Probate Code § 1060 et seq.
3. Pursuant to Probate Code § 17201, *Petition* does not but should state the names and addresses of all persons entitled to notice of the *Petition*. Need proof of service by mail of 30 days' notice prior to hearing for the following persons pursuant to Probate Code §§ 15804(a) and 17203(a)(2):
  - **GARY MORRIS, JR.**, Beneficiary;
  - **DOUG STANDING**, current Successor Trustee;
  - **NANCY J. LeVAN**, attorney for Beneficiary;
  - **BARBARA TURNER**, named successor trustee;
  - **RONALD POTTER, JR.**, named successor trustee;
  - **AMERICAN CANCER SOCIETY**, contingent beneficiary;
  - **UNITED CEREBRAL PALSY OF CENTRAL CALIFORNIA**, contingent beneficiary;
  - **JOHN JEFF MORRIS**, son.
4. *Schedule A2, Receipts*, contains question marks at entries dated 4/22/2014 of **\$1,100.00** and 5/6/2014 of **\$10,000.00**. Need clarification.
5. *Petition* states a list of Trustee's time and mileage in support of request for trustee fees is attached as Exhibit A; however, no Exhibit A is attached. Additionally, Court may require an itemization of attorney services to support the attorney fees already paid from the Trust of **\$768.50**.
6. Court may require explanation for the large expenditure listed in *Schedule C1, Disbursements*, dated 6/4/2014 to "Motoring Cal. Co." in the sum of **\$36,200.00**.
7. Need proposed order pursuant to Local Rule 7.1.1(F).

***Beneficiary Gary Morris, Jr.'s. Objection to First and Final Account and Report of Trustee and Petition for its Settlement filed 9/22/2016 states:***

- Gary Morris, Jr. objects to the former Trustee's request for the account to be settled, allowed, and approved on the grounds that it is incomplete and lacks sufficient information;
- Probate Code section 16063(b) provides that an accounting submitted to be approved by the court must comply with Probate Code section 1064, which provides that a petition for approval shall contain "a description of all sales, purchases, changes in the form of assets, or other transactions...that are not otherwise readily understandable from the schedule." The Petition must also have "an explanation of any unusual items appearing in the account."

~Please see additional page~

**Beneficiary Gary Morris, Jr's. Objection filed 9/22/2016 continued:**

- The Accounting provided by the former Trustee reflects Charges in the amount of **\$376,000.00** and credits in the amount of **\$373,654.07**. This leaves a difference of **\$2,345.93** that is unaccounted for in the Accounting and not explained in the Report. Objector requests the Accounting be amended to show the whereabouts of this missing amount.
- Objector objects to the former Trustee's request for compensation and reimbursement. Trustees are required to administer the trust as a prudent person would, "with reasonable care, skill, and caution." (Prob. Code sec. 16040(a)). The Trustee failed to administer the trust properly when he refused to provide an accounting, forcing Objector to file a Petition to Compel the Accounting. The Petition to Compel the Accounting was filed 8/27/2015 and it took almost an entire year for the Accounting to finally be submitted.
- The Trustee further failed to administer the Trust properly when he refused to continue payments for Objector's housing, forcing Objector to file a petition for payment. Because the former Trustee failed to administer the Trust as a prudent person would and because he caused so many costly delays, the former Trustee should not be compensated or reimbursed, or the amount awarded should be reduced within the discretion of the Court.

**Objector prays that:**

1. The Petitioner's request for approval of the First Account be denied;
2. The Petitioner's request for approval and allowance of the former Trustees' fees and reimbursement be denied, or the amount awarded reduced within the discretion of the Court;
3. The First Account be amended to correct the insufficiencies described.

**Proof of Service by Mail filed 9/22/2016 shows a copy of the Objection was served to all parties entitled to notice on 9/22/2016.**

Petitioner/mother: Selina Gutierrez (pro per)

## Petition for Visitation

		<b>SELINA GUTIERREZ</b> , mother, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>NORMA LEYVA</b> , paternal grandmother, was appointed successor guardian on 9/24/14.	<p><b>Note:</b> This visitation petition was filed first. While this petition was still pending mother filed a second petition for visitation. Please see page 8B.</p> <p><b>Continued from 7/19/16. Minute order states</b> mother is to use prescription medication for the child while in her care, the Court Investigator is to interview guardian, mother and children regarding if unsupervised visits are appropriate. Current orders stay in place. The court will consider starting unsupervised visits at the next hearing.</p>
Cont. from 092115, 100515, 111715, 020216, 071916			
	Aff.Sub.Wit.		<p><b>Reviewed by:</b> KT</p> <p><b>Reviewed on:</b> 9/22/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 8A – Ortiz</b></p>
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	N/A	
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

8A

Guardian: Norma Irene Leyva (pro per)

Petitioner/Mother: Selina Eyleen Gutierrez (pro per)

## Petition for Visitation

		SELINA GUTIERREZ, mother, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		NORMA LEYVA, paternal grandmother, was appointed successor guardian on 9/24/14.	<b>Note:</b> This matter was presented ex parte. Order dated 8/9/16 set the matter for hearing and ordered a Notice of Hearing to be served on Norma Leyva at least 15 days prior to the hearing.
<b>Cont. from 090116</b>			<ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> <li>a. Norma Leyva</li> </ol> </li> <li>3. Declaration of Norma Leyva filed on 8/9/16 was not verified. Probate Code §1021.</li> </ol>
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<b>Reviewed by:</b> KT
			<b>Reviewed on:</b> 9/22/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 8B- Ortiz</b>

8B



Probate Status Hearing RE: Filing of the First and Final Account

<b>DOD: 6/18/14</b>	<b>ALESHA J. JENSEN</b> , Daughter, was appointed Administrator with Full IAEA without bond on 12/9/14. Letters issued on 12/10/14.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>1. Need first account or petition for final distribution.</b>
<b>Cont. from 020916, 051016, 072616</b>	At the hearing on 12/9/14, the Court set this status hearing for the filing of the first account or petition for final distribution.	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	<b>Status Report filed 7/25/16 states</b> the Administrator is preparing to file a petition for final distribution of the estate. However, more than 75% of the value is comprised of personal property such as vehicles, tractors, equipment, guns, tools, etc., that is not easily distributed in undivided interests. The heirs would like for certain items to be distributed in kind, and one desires to purchase the other heirs' interests in certain items. The family does not wish them to be sold. The Administrator is optimistic that the prospective heir remains in the process of arranging for financing. Therefore, an additional 60 days is requested to allow the purchasing heir time to obtain financing and complete the sale.	
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>		
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>	<b>Status Report filed 9/23/16 states</b> the personal representative has been advised that the heir who was believed to be obtaining financing to complete the intended purchase is no longer willing to purchase the tangible personal property as previously indicated. However, another relative, David Bergen, the decedent's father and the personal representative's grandfather, has offered to purchase some of the items. Notice of Proposed action has been mailed and filed with the court.	
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input checked="" type="checkbox"/> <b>Status Rpt</b>	Because not as many items will be sold as previously believed, the personal representative now unexpectedly finds herself in the position of being required to sell several items, and intends to take immediate action to do so. Continuance of 90 days is requested.	
<input type="checkbox"/> <b>UCC/JEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		

**Reviewed by:** skc

**Reviewed on:** 9/21/16

**Updates:** 9/23/16

**Recommendation:**

**File 9- Bergen**

## Probate Status Hearing RE: First or Final Account

<b>DOD: 11/19/2014</b>		<b>PUBLIC ADMINISTRATOR</b> was appointed administrator of the estate with full IAEA without bond on 4/7/2015. <i>Letters issued 4/7/2015.</i>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<i>I&amp;A filed 6/15/2015 - \$125,000.00 (real property)</i>	<b>OFF CALENDAR</b> First and final account filed 9/23/2016 and set for hearing 11/7/2016.
<b>Cont. from 061416</b>		<b>Minute order dated 4/7/2015</b> set this status hearing for filing of the account.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>	<b>Status Report by Public Administrator filed 5/23/2016 states</b> the current estate balance is \$541.94. The real property was foreclosed and sold on 11/23/2015.	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>	The PA received a check from State Farm for biohazard cleanup of the house. CaTraumaTech (CTT) was paid \$5,647.50 on 12/14/2014. The invoice says some selected valued household items were removed and transported to the CTT warehouse to be inspected/decontaminated. There is no inventory of what was taken by CTT and no mention if it was ever returned. There is a handwritten note in the case from the District Attorney employee who temporarily handled this estate, saying he was going to follow up on that.	
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	Personal property from the house was sold at auction. PA received various checks from State Farm and Ocwen Loan.	
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>	There are several creditor's claims that have been received. The estate has paid probate referee and publication fees.	
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>	The current Deputy PA now responsible for this matter has sent an email to the DA employee asking him if he ever got any information regarding the valued property that was removed from the house by CTT. If there are no valued items still in the possession of CTT, then there are no other assets to marshal.	
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>	To allow time to affirm what assets may currently belong to the estate and to file an account, <b>it is requested that this status hearing be continued for 90 days.</b>	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input checked="" type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

Reviewed by: SEF

Reviewed on: 9/21/2016

Updates: 9/23/2016

Recommendation:

File 10- Liddle

## First Account Current and Report of Conservator and Petition for Allowance of Compensation to Conservator and Attorney

			<b>PUBLIC GUARDIAN</b> , Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
			Account period: 5/13/15 – 7/7/16	<b>Note:</b> David Knudson, court- appointed attorney for Conservatee, filed a petition for fees on 8/26/16 that is set for hearing on 10/12/16.
			Accounting: \$165,722.71	
			Beginning POH: \$138,329.77	
			Ending POH: \$ 39,137.99	
			(\$39,001.99 cash plus misc. personal property items as listed)	
	<b>Aff.Sub.Wit.</b>		Conservator: \$8,971.52 (for 62.61 Deputy hours @ \$96/hr and 38.96 Staff hours @ \$76/hr, as itemized. Services include maintenance, security, and sale of real property, review of medical records, placement, )	<b>Note:</b> The Court will set a status hearing for the filing of the next account as follows: • <b>Tuesday, Sept. 4, 2018</b>
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>	w		
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>		Attorney: \$2,500.00 (Per local rule)	
	<b>Conf. Screen</b>		Bond fee: \$181.30	
	<b>Letters</b>		Costs: \$617.00 (filing, certification)	
	<b>Duties/Supp</b>		Petitioner prays for an order:	
	<b>Objections</b>		1. Approving, allowing and settling the account and report;	
	<b>Video Receipt</b>		2. Authorizing the conservator's and attorney's fees and commissions;	
✓	<b>CI Report</b>		3. Authorizing payment of the bond fee and the costs;	
	<b>9202</b>		4. Other relief that the Court considers proper.	
✓	<b>Order</b>			
	<b>Aff. Posting</b>			<b>Reviewed by:</b> skc
	<b>Status Rpt</b>			<b>Reviewed on:</b> 9/21/16
	<b>UCCJEA</b>			<b>Updates:</b>
	<b>Citation</b>			<b>Recommendation:</b>
	<b>FTB Notice</b>			<b>File 11- Owen</b>

**12A Benny Markarian (Estate)****Case No. 15CEPR00668****Attorney Laird Scott D. (for Pamela Milam – Petitioner – Daughter)****Attorney Nahigian, Eliot (for Ronald H. Markarian – Competing Petitioner- Spouse)****Petition for Probate of Will and for Letters Testamentary with IAEA**

<b>DOD: 05/15/2015</b>	<b>PAMELA MILAM</b> , daughter/named executor without bond is petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note: A Joint Stipulated Petition to Grant Petition for Letters of Administration and Authorization to Administer Under the IAEA Filed by Pamela Milam and Appoint a Public Administrator was filed 09/20/2016. An Order filed 09/21/2016 states the Stipulation would be considered at the hearing on 09/27/2016. If the Court is inclined to appoint the Public Administrator new orders and letters need to be submitted.</b>  <b>Page 12B and 12C are competing Petition for Probate of Letters of Administration and Contest and Grounds of Objection to Probate of Purported Will filed by Ronald H. Markarian</b>  <b>Continued from 06/20/2016</b>  1. Proposed personal representative is a resident of Florida. Probate Code 8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court.  <p style="text-align: center;"><u><b>Continued on the following page</b></u></p>
	Petitioner is a resident of Miramar Beach, Florida.		
	Full IAEA – o.k.		
	Will dated: 02/20/2008		
Cont. from 081815, 092915, 120815, 032216, 050316, 051716, 062016	Residence: Fresno Publication: The Business Journal		
Aff.Sub.Wit.	<b>Estimated Value of the Estate:</b>		
✓ Verified	Personal property- \$129,300.00		
Inventory	Real Property - \$160,000.00		
PTC	<b>Total - \$289,300.00</b>		
Not.Cred.	Probate Referee: Steven Diebert		
✓ Notice of Hrg	<b>Joint Stipulated Petition to Grant Petition for Letters of Administration and Authorization to Administer Under the IAEA Filed by Pamela Milam and Appoint a Public Administrator was filed 09/20/2016</b> and states the parties have reached an agreement to resolve the competing Petitions and Objections and stipulate that the Petition and Objection filed by Ronald H. Markarian shall be dismissed with prejudice. The Objection filed by Pam Milam shall be dismissed with prejudice. The Petition for Letters of Administration and Authorization to Administer Under IAEA filed by Pamela Milam shall be granted with the exception that the Court shall appoint a Public Administrator to administer the Will of Benny L. Markarian, aka Benny Markarian.		
✓ Aff.Mail	w/		
✓ Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

<b>Reviewed by:</b> LV
<b>Reviewed on:</b> 06/15/2016
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 12A – Markarian</b>

**12A**

**Note:** If the petition is granted status hearings will be set as follows:

- **Monday, 11/01/2016 at 9:00a.m. in Dept. 303** for the filing of the Bond if required **and**
- **Monday, 02/28/2017 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Monday, 11/28/2017 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.

Attorney Laird, Scott D. (for Pamela Milam – Petitioner – Daughter)

Attorney Nahigian, Eliot (for Ronald H. Markarian – Competing Petitioner - Spouse)

## Petition for Letters of Administration with IAEA

DOD: 05/15/2015		RONALD H. MARKARIAN, surviving spouse is petitioner and requests appointment as Administrator with bond.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Cont. from 062016		Full IAEA – o.k.	<b>Continued from 06/20/2016</b>  1. Petition does not indicate the amount of bond to be ordered. Competing petition of Pamela Milam lists personal property in the amount of \$129,300.00 and real property in the amount of \$160,000.00, however this petition lists personal property only. <b>If real property does exist then bond should be set at \$289,300.00. If only personal property exists, then bond should be set at \$129,300.00.</b>  2. Need proof of service of the Notice to Administer Estate pursuant to Probate Code §8110 on: <ul style="list-style-type: none"> <li>• Scott Laird</li> </ul> <b>Note: If the petition is granted status hearings will be set as follows:</b> <ul style="list-style-type: none"> <li>• <b>Monday, 11/01/2016 at 9:00a.m. in Dept. 303</b> for the filing of the Bond if required <b>and</b></li> <li>• <b>Monday, 02/28/2017 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b></li> <li>• <b>Monday, 11/28/2017 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
Aff.Sub.Wit.			
✓ Verified		Decedent died intestate	
Inventory		Residence: Fresno	
PTC		Publication: The Business Journal	
Not.Cred.			
✓ Notice of Hrg		<b>Estimated Value of the Estate:</b> Personal property- \$129,300.00	
✓ Aff.Mail	w/	Probate Referee: Steven Diebert	
✓ Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			<b>Reviewed by:</b> LV
			<b>Reviewed on:</b> 09/22/2016
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 12B- Markarian</b>

## Petition Contest and Grounds of Objection to Probate of Purported Will

<b>DOD: 05/15/2015</b>		<b>RONALD H. MARKARIAN</b> , surviving spouse, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>Petitioner states:</b> on 07/09/2015, Pamela Milam filed in this court a document dated 02/20/2008, purporting to be the last Will ("Purported Will") of the Decedent, together with a petition requesting that the document be admitted to probate as the Decedent's last Will and that letters testamentary be issued to her.	<b>Continued from 06/20/2016</b>	
<b>Cont. from 062016</b>				
	<b>Aff.Sub.Wit.</b>	<p>Contestant is a person interested in Decedent's estate and is entitled to contest admission of Decedent's Purported Will to probate in that Contestant is the Decedent's surviving spouse. Contestant and Decedent were married on 07/03/1953, and were married to each other at the time of Decedent's death. Respondent is one their children.</p> <p>Probate of the Proposed Will should be denied on the following grounds:</p> <ol style="list-style-type: none"> <li>At the time of the alleged execution of the Purported Will, Decedent was not of sound and disposing mind.</li> <li>Contestant is informed and believes and on such information and belief alleges that Decedent's Purported Will is not and never was Decedent's Will and was made at the time of its alleged execution as a result of the undue influence of Respondent in that: <ol style="list-style-type: none"> <li>Respondent lived in Fresno near Decedent for several years before Decedent's death and occupied a position of trust and confidence with Decedent. During this time, Decedent's health progressively worsened and Decedent put her trust and confidence in Respondent. During this time, Respondent discussed Decedent's estate planning with Decedent and admonished Decedent not to discuss her estate plan with Contestant.</li> </ol> </li> </ol> <p><u>Please see additional page</u></p>	<ol style="list-style-type: none"> <li>Need Proof of Service of Summons.</li> <li>Need proof of service of the Summons pursuant to Probate Code §8110 on: <ul style="list-style-type: none"> <li>Scott Laird</li> <li>Pamela Milam</li> <li>Ronald M. Markarian</li> <li>Sandra Markarian</li> </ul> </li> <li>Need Order. Local Rule 7.1 states a proposed Order shall be submitted with all pleadings that request relief. If the proposed order is not received in the Probate Filing Clerk's Office ten (10) days before the scheduled hearing, a continuance may be required.</li> </ol>	
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
	<b>Proof of Srv. Of Summons</b>			x
	<b>Aff.Mail</b>			x
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
	<b>Letters</b>			
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
✓	<b>Summons</b>			
	<b>FTB Notice</b>			

Reviewed by: LV

Reviewed on: 09/22/2016

Updates:

Recommendation:

File 12C- Markarian

- ii. During the same period of time, by reason of the relationship of Decedent with Respondent, Respondent was able to exert control and influence over the mind and actions of Decedent to such a point that Decedent was no longer capable of exercising her own conviction or desire with regard to her actions or thoughts, but instead because of the pressure brought on her by Respondent, both by argument and entreaty, Decedent's convictions or desires became the convictions or desires imposed on her by Respondent.
  - iii. During this time, while Decedent was under Respondent's undue influence, Respondent suggested the contents of the document submitted for probate to this court by Respondent, arranged for execution of the document, and cause Decedent to execute the document. At the time the document was executed, Decedent was wholly under the influence of Respondent and the document does not represent the free and voluntary act of Decedent.
  - iv. During this time, while Decedent was under Respondent's undue influence, Respondent selected an attorney to prepare Decedent's purported Will, contacted the attorney and made an appointment for Respondent and Decedent to meet with the attorney, took Decedent to the meeting with the attorney, participated in the meeting with the attorney and Respondent, and was present when the Purported Will was executed by Decedent.
- c. Contestant is informed and believes and on such information and belief alleges that the document was not executed by Decedent and attested in the manner and form required by law for the execution of the Will.

Wherefore, Contestant requests that the Purported Will be denied probate, for costs of suit, and all other proper relief.



**First and Final Account and Report of Conservator: Petition for Allowance of Compensation to Conservator and Her Attorney**

		<b>PUBLIC GUARDIAN</b> , Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note:</u> The petition for appointment of Marion Austin, professional fiduciary, as successor conservator of the person and estate was continued to 10/12/16 to meet up with the competing petition filed by Christina Fishinghawk. The PG filed a declaration in support of Ms. Austin's petition.  <u>Note:</u> There is a balance of \$547.00 remaining due for outstanding court investigation fees.  <u>Note:</u> It does not appear that any Inventory and Appraisal was ever filed pursuant to Probate Code §2610. The accounting reflects beginning POH of zero, and that two accounts were marshaled and closed by the PG, with funds held in the PG's pooled trust account. No income, other than interest, was received by the conservatorship estate.										
		Account period: 10/30/15 – 6/30/16 Accounting: \$795.21 Beginning POH: \$ 0.00 Ending POH: \$713.21  Conservator: \$2,358.00 (for 21 Deputy hours @ \$96/hr and 4.5 Staff hours @ \$76/hr itemized at Exhibit B)  Attorney: \$1,250.00 (less than local rule)  Costs: \$104.00 (certified letters)  Petitioner states after only partial payment, there will be no assets to distribute. Petitioner requests that due to the insufficiency of the estate to pay fees and commissions, that Marion Austin, as trustee of the conservatee's trust, be directed to pay any outstanding fees from the conservatee's trust assets.  Petitioner prays for an order: 1. Approving, allowing, and settling the first and final account; 2. Authorizing the conservator's and attorney's fees and commissions; 3. Authorizing payment of the certification fees; 4. Ordering that a lien be imposed against the estate for any unpaid balance of the authorized fees and commissions; and 5. Any other orders that the Court considers proper.											
	<b>Aff.Sub.Wit.</b>		<table border="1"> <tr><td colspan="2"><b>Reviewed by:</b> skc</td></tr> <tr><td colspan="2"><b>Reviewed on:</b> 9/21/16</td></tr> <tr><td colspan="2"><b>Updates:</b></td></tr> <tr><td colspan="2"><b>Recommendation:</b></td></tr> <tr><td colspan="2"><b>File 13- Doyle</b></td></tr> </table>	<b>Reviewed by:</b> skc		<b>Reviewed on:</b> 9/21/16		<b>Updates:</b>		<b>Recommendation:</b>		<b>File 13- Doyle</b>	
<b>Reviewed by:</b> skc													
<b>Reviewed on:</b> 9/21/16													
<b>Updates:</b>													
<b>Recommendation:</b>													
<b>File 13- Doyle</b>													
✓	<b>Verified</b>												
	<b>Inventory</b>												
	<b>PTC</b>												
	<b>Not.Cred.</b>												
✓	<b>Notice of Hrg</b>												
✓	<b>Aff.Mail</b>	w											
	<b>Aff.Pub.</b>												
	<b>Sp.Ntc.</b>												
	<b>Pers.Serv.</b>												
	<b>Conf. Screen</b>												
	<b>Letters</b>												
	<b>Duties/Supp</b>												
	<b>Objections</b>												
	<b>Video Receipt</b>												
	<b>CI Report</b>												
	<b>9202</b>												
✓	<b>Order</b>												
	<b>Aff. Posting</b>												
	<b>Status Rpt</b>												
	<b>UCCJEA</b>												
	<b>Citation</b>												
	<b>FTB Notice</b>												

**First and Final Account and Report of Executrix and Petition for its Settlement, for allowance of Compensation to Attorneys and Executrix for Ordinary services, for allowance of compensation to Executrix for Extraordinary services; for Reimbursement of Costs Advanced, and for Final Distribution**

<b>DOD: 9/15/15</b>			<b>LAURA J. MARKS</b> , Daughter And Executor with Full IAEA without bond, is Petitioner.  Account period: 9/15/15 – 7/25/16 Accounting:       \$140,072.38 Beginning POH:   \$140,000.00 Ending POH:       \$111,615.98 (cash)  Executor (Statutory): \$4,602.17  Executor (Extraordinary): \$1,000.00 (per local rule, for sale of real property)  Attorney (Statutory): \$4,602.17  Costs: \$1,465.50 (filing, publication, certification, appraisal)  Closing: \$3,000.00  Distribution pursuant to the decedent's will:  Laura J. Marks: \$32,315.38 Larry R. Gibson: \$32,315.38 Kauai Aadheenam Monastic Endowment, Kapaa: \$32,315.38	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
	<b>Aff.Sub.Wit.</b>				
✓	<b>Verified</b>				
✓	<b>Inventory</b>				
✓	<b>PTC</b>				
✓	<b>Not.Cred.</b>				
✓	<b>Notice of Hrg</b>				
✓	<b>Aff.Mail</b>	w			
	<b>Aff.Pub.</b>				
	<b>Sp.Ntc.</b>				
	<b>Pers.Serv.</b>				
	<b>Conf. Screen</b>				
✓	<b>Letters</b>				
	<b>Duties/Supp</b>				
	<b>Objections</b>				
	<b>Video Receipt</b>				
	<b>CI Report</b>				
✓	<b>9202</b>				
✓	<b>Order</b>				
	<b>Aff. Posting</b>				
	<b>Status Rpt</b>				
	<b>UCCJEA</b>				
	<b>Citation</b>				
✓	<b>FTB Notice</b>				
			<b>Reviewed by:</b> skc		
			<b>Reviewed on:</b> 9/22/16		
			<b>Updates:</b>		
			<b>Recommendation:</b> SUBMITTED		
			<b>File 14- Gibson</b>		

Petitioner Gloria M. Encinas (Pro Per, paternal grandmother)

## Petition for Appointment of Guardian of the Person

		<b>TEMPORARY GRANTED ON COURT'S OWN MOTION EXPIRES 6/28/2016; extended to 7/26/2016; extended to 8/30/2016; extended to 9/27/2016</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Continued from 8/30/2016.</u>
Cont. from 051716, 062816, 072616, 083016		<b>GLORIA M. ENCINAS</b> , paternal grandmother, is Petitioner.	
	Aff.Sub.Wit.	<i>~Please see Petition for details~</i>	
✓	Verified		
	Inventory	Court Investigator's Report was filed on 4/29/2016.	
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 9/21/16
			Updates:
			Recommendation:
			File 15- Encinas

		<p><b>ALMA LOUSBERG</b>, mother, was appointed Guardian of the Estate, with all cash assets to be placed into a blocked account and the Court notified within 7 days, on 07/06/2016.</p> <p>Letters issued on 07/07/2016.</p> <p><b>For Background:</b> Minor is the sole heir to her deceased father, John Lang's estate. On 09/06/2016 the Court granted the Petition to Determine Succession in case no. 16CEPR00367. Pursuant to the order the minor is to receive a check in the amount of \$35.00 from Bank of America and a check in the amount of \$428.75 from Payless Brakes and Tires.</p> <p>The minute order of 09/06/2016 regarding the Petition to Determine Succession, case no. 16CEPR00367, set this Status Hearing for the filing of the Receipt for Blocked Account.</p> <p><b>Minute Order states in part:</b> The Court orders that the related case, 16CEPR00433 be set for status on 09/27/2016 regarding the receipt for blocked account, and a copy of the minute order be placed into said related case.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Receipts for Blocked Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<div>Reviewed by: LV</div> <div>Reviewed on: 09/22/2016</div> <div>Updates:</div> <div>Recommendation:</div> <div>File 16- Long</div>	

## Petition for Appointment of Guardian of the Person

See petition for details.			<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note:</u> All receipts for the mailed notice re ICWA have been filed.  <u>Minute Order 8/23/16:</u> Examiner notes provided in open court.  1. Notice of Hearing filed 9/1/16 indicates mailed service on the father. Probate Code §1511 requires personal service. The Court may require further notice.
Cont. from 062116, 080216, 082316			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 9/21/16
			Updates:
			Recommendation:
			File 17- Bill

Petitioner: Maria Montalvo (Pro per – Maternal grandmother)

Petition for Appointment of Guardian of the Person (as to Rubiana only)

		<b><u>TEMPORARY DENIED 6/13/2016</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>MARIA MONTALVO</b> , maternal grandmother, is petitioner  <i>See petition for details.</i>	<b>This petition is as to <u>Rubiana</u> only.</b> Per CI report filed 7/18/2016, petitioner no longer wishes to pursue guardianship of Elijah, because he has been placed with his father.  <b>Minute order 8/2/2016</b> orders supervised visitation only as to Christina Montalvo. Matter was continued for service/due diligence as to the paternal grandparents and maternal grandfather.  1. Need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with copy of petition <u>or</u> consents and waivers of notice for:  a. Paternal grandfather (unknown) – <i>unless the Court excuses notice.</i>  b. Adela Arellano (paternal grandmother) – <i>unless the Court excuses notice.</i> (A declaration of due diligence was filed and a proof of mailed service at the address that comes up on her phone.)  c. Martin Montalvo (maternal grandfather) – <i>unless the Court excuses notice.</i> (A declaration of due diligence was filed and a proof of mailed service at his mother's address.)	
Cont. from 080216				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			w/
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			<b>Reviewed by:</b> SEF	
			<b>Reviewed on:</b> 9/22/2016	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 18- Arellano/ Gonzalez</b>	

Petitioner Garza, Angelita (Pro Per - Non-Relative)

Petition for Appointment of Guardian of the Person

		<b><u>TEMPORARY EXPIRES 08/23/2016</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>ANGELITA GARZA</b> , non-relative, is petitioner	<b>Minute Order of 08/23/2016:</b> Petitioner requests time to decide how to proceed, and is to report back to the Court on 09/27/2016 as to the stepfather residing in the home.
		<b><u>Please see petition for details</u></b>	
<b>Cont. from 082316</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>	X	
	<b>Aff.Mail</b>		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
✓	<b>Pers.Serv.</b>	w/	
✓	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
✓	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
✓	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by:</b> LV
			<b>Reviewed on:</b> 09/22/2016
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 19- Navarette</b>

<b>DOD: 12/28/2015</b>		<b>DAVID SEGURA</b> , son, is petitioner and requests appointment as Administrator without bond.  All heirs waive bond  Full IAEA – o.k.  Residence: Fresno Publication: The Business Journal  <u><b>Estimated value of the Estate: \$0</b></u>  Probate Referee: Steven Diebert	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order of 08/16/2016: Examiner notes provided in open court.</b>  <b>The following issues remain:</b>  1. The filing fee was initially waived for this petition; however, the fee will be due prior to distribution pursuant to Government Code §68637. (Filing fee is \$435.00)  2. Need date of death of the deceased spouse pursuant to Local Rule 7.1.1D.  3. Need Confidential Supplement to Duties & Liabilities of Personal Representative, Mandatory Judicial Council Form DE-147S.  <b>4. Need Order.</b>  <u><b>Note: If the petition is granted status hearings will be set as follows:</b></u>  • <b>Tuesday, 02/28/2017 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u>  • <b>Tuesday, 11/28/2017 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<b>Cont. from 081616</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/		
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b> x		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> LV <b>Reviewed on:</b> 08/11/2016 <b>Updates:</b> <b>Recommendation:</b> <b>File 20- Segura</b>	



Petitioner Segura, David (Pro Per – Son)

## Petition for Letters of Administration with IAEA

DOD: 12/08/2009		<b>DAVID SEGURA</b> , son, is petitioner and requests appointment as Administrator without bond.  All heirs waive bond  Full IAEA – o.k.  Residence: Fresno Publication: The Business Journal  <u><b>Estimated value of the Estate: \$0</b></u>  Probate Referee: Steven Diebert	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order of 08/16/2016: Examiner notes provided in open court.</b>  <b>The following issues remain:</b>  1. The filing fee was initially waived for this petition; however, the fee will be due prior to distribution pursuant to Government Code §68637. (Filing fee is \$435.00)  2. Need date of death of the deceased spouse pursuant to Local Rule 7.1.1D.  3. Need Confidential Supplement to Duties & Liabilities of Personal Representative, Mandatory Judicial Council Form DE-147S.  <b>4. Need Order.</b>  <u><b>Note:</b></u> If the petition is granted status hearings will be set as follows:  • <b>Tuesday, 02/28/2017 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u>  • <b>Tuesday, 11/28/2017 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.	
Cont. from 081616				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order	x		
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
<b>Reviewed by:</b> LV				
<b>Reviewed on:</b> 09/22/2016				
<b>Updates:</b>				
<b>Recommendation:</b>				
<b>File 21- Segura</b>				

22A

Attorney  
Attorney

Luz Amarillas (CONS/PE)

Krause, Stefanie J. (for Petitioner Yesenia Haro)

Fanucchi, Edward L. (for Objectors Ana Esparza, Jess Mendez, and Jose Luis Mendez)

Case No. 16CEPR00721

## Petition for Appointment of Probate Conservator of the Person and Estate

		See petition for details.	NEEDS/PROBLEMS/ COMMENTS:
			<u>Minute Order 8/16/16:</u> Examiner notes provided in open court. Any written objections are to be filed and properly served by 9/12/16.
Cont. from 081616			<u>Note:</u> Amendment to Petition was filed and served 9/21/16 to clarify request; all changes now reflected in these notes.
	Aff.Sub.Wit.		
✓	Verified		<u>Status Report filed 9/23/16 by Attorney Stefanie J. Krause states</u> Ms. Haro filed the petition in pro per; however, several issues were noted by the Examiner, and she has agreed to represent her. Attorney Krause states a medical evaluation is scheduled for purpose of the capacity declaration, and continuance of 30 days is necessary to cure the defects and obtain the capacity declaration.
	Inventory		
	PTC		<u>Note:</u> Objections were filed and served on 9/22/16. See additional pages. <b>SEE ADDITIONAL PAGES</b>
	Not.Cred.		
✓	Notice of Hrg		Reviewed by: skc
✓	Aff.Mail w/o		
	Aff.Pub.		Reviewed on: 9/21/16
	Sp.Ntc.		
	Pers.Serv.	x	Updates: 9/22/16, 9/23/16
✓	Conf. Screen		
✓	Letters		Recommendation:
✓	Duties/Supp		
✓	Objections		File 22A- Amarillas
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation	x	
	FTB Notice		

22A

**Page 2 – NEEDS/PROBLEMS/COMMENTS:**

**Note:** The Fee Waiver was denied; therefore, filing fees will be due upon appointment.

**Note:** Petitioner requests dementia medication and placement powers under Probate Code §2356.5 via separate ***Petition for Exclusive Authority to Give Consent for Medical Treatment (Page B)***. However, this request is typically included within the conservatorship petition by checking #1k. Therefore, the request is included in this review.

1. Petitioner did not include the *Form GC-313 Attachment Requesting Special Orders Re Dementia* with this petition or with the separate petition. Need GC-313 if dementia medication and placement powers are requested.
2. Also, if dementia powers are requested, continuance is necessary in order for an attorney to be appointed for the Proposed Conservatee pursuant to Probate Code §2356.5(f)(1).
3. Need Capacity Declaration (GC-335) together with separate Dementia Attachment (GC-335A) if dementia powers are requested.
4. Need Citation and proof of personal service of Citation with a copy of the petition and with dementia attachment at least 15 days prior to the hearing per Probate Code §1824 on Proposed Conservatee Luz Amarillas.
5. Petitioner's Notice of Hearing filed 7/27/16 does not indicate that a copy of the petition was included with the service, and it appears some relatives were omitted from the list. Also, because additional powers are requested as set forth above, the additional Dementia Attachment will need to be included in the service. Therefore, need proof of service of Notice of Hearing with a copy of the petition and with dementia attachment at least 15 days prior to the hearing on:
  - Ana Esparza (Sister)
  - Joe Mendez (Brother)
  - Jesse Mendez (Brother)
  - Reymundo Amarillas (Son)
  - Victor Amarillas (Grandson)
  - Daniel Haro (Grandson)(Note: Cal. Rule of Court 7.51 requires service to minors and to their parent or guardian.)

**Note:** If granted, the Court will set status hearings as follows:

- **Tuesday, Nov. 8, 2016** for filing of bond;
- **Tuesday, Jan. 31, 2017** for filing the Inventory and Appraisal
- **Tuesday, Nov. 28, 2017** for filing the first account.

If the proper items are on file, the status hearings may come off calendar. Otherwise, status report is required per Local Rule 7.5.

Petition for Authority to Give Consent to Med. Treatment

		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Examiner's Note:</u> The request contained in this separate petition has been reviewed in connection with the petition for conservatorship at Page A. See Page A for details.
Cont. from 081616		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	
		Reviewed by: skc
		Reviewed on: 9/21/16
		Updates:
		Recommendation:
		File 22B- Amarillas

**23 Alexandra Reyes, Anthony Reyes, Angel Carrillo (GUARD/P)****Case No. 16CEPR00784**

Petitioner Reyes, Petra (Pro Per – Maternal Grandmother – Petitioner)

Petitioner Reyes, Carlos (Pro Per – Maternal Grandfather – Petitioner)

**Petition for Appointment of Guardian of the Person**

See petition for details.			<b>NEEDS/PROBLEMS/COMMENTS:</b>
			1. Need Declaration under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (Form GC-120), which contains mandatory information re the minors' residences and other matters.
			2. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Paternal Grandparents of Alexandra and Anthony (parents of Norberto Dominguez) - Jose Carrillo, Sr. (Paternal grandfather of Angel) - Martha Sanchez (Paternal Grandmother of Angel)
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 9/22/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 23- Reyes &amp; Carrillo</b>

	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
✓	Pers.Serv.	W
✓	Conf. Screen	
✓	Letters	
✓	Duties/Supp	
	Objections	
	Video Receipt	
✓	CI Report	
✓	Clearances	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	X
	Citation	
	FTB Notice	

**Petition for Appointment of Guardian of the Person**

			<p><b>THERE IS NO TEMPORARY. No Temporary was requested.</b></p> <p><b>IIDIKO K. FORTIER</b>, paternal grandmother, is petitioner.</p> <p>Please see petition for details.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need proof of personal service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice on:</p> <p>a. Sarah Fortier (mother)</p> <p>b. Elizabeth Fortier (minor)</p> <p><b>Note:</b> Both Sarah Fortier and Elizabeth Fortier were served by mail however Probate Code §1511 requires personal service.</p>
<b>Cont. from</b>				
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>	W/		
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
✓	<b>Conf. Screen</b>			
✓	<b>Letters</b>			
✓	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
✓	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
✓	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
			<p><b>Reviewed by:</b> KT</p> <p><b>Reviewed on:</b> 9/22/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 24- Fortier</b></p>	

**25 Francisco Ramos and Angel Harvey (GUARD/P) Case No. 15CEPR01110**Petitioner **Moises Francisco Ramos (Pro Per, maternal uncle)****Petition for Appointment of Temporary Guardian of the Person**

		<p align="center"><u><b>General Hearing set for 11/15/2016</b></u></p> <p><b>MOISES FRANCISCO RAMOS</b>, maternal uncle, is Petitioner.</p> <p align="center"><i>~Please see Petition for details~</i></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>This petition pertains to Francisco Ramos only.</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing and proof of five (5) court days' notice by personal service of the Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence for: <ul style="list-style-type: none"> <li>• Jeff Lamb, father, if Court does not find due diligence per Declaration filed 9/21/2016.</li> </ul> </li> <li>2. Need Declaration under Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA) mandatory-use form GC-120.</li> </ol>	
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input type="checkbox"/>	<b>Notice of Hrg</b>			<input checked="" type="checkbox"/>
<input type="checkbox"/>	<b>Aff.Mail</b>			
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>	<input checked="" type="checkbox"/>		
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 9/22/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 25- Ramos</b></p>		

**Petition for Appointment of Temporary Guardian of the Person**

			See petition for details.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. If diligence is not found, need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Selina Camuna Castaneda (Mother) - Alfredo Camunas (Father)  <b>Note:</b> Declaration of Due Diligence filed 9/23/16 states Petitioner emailed the requisite documents to the mother.
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	X		
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	X		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA	X		
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 9/22/16	
			Updates: 9/23/16	
			Recommendation:	
			File 26- Castaneda	



Order to Show Cause

<b>DOD: 1/13/15</b>	<b>ROBERT SEAN BAKER</b> , Son, was appointed Administrator without IAEA and without bond on 6/8/15.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Minute Order 9/20/16:</b> Counsel represents that he received a text message just before court indicating that he was in a traffic accident. Counsel requests a continuance and represents that the property is still in the estate with his client paying the mortgage.
<b>Cont. from 092016</b>	At the hearing on 6/8/15, the Court set a status hearing for 8/9/16 for the filing of the first or final account.	<b>Note:</b> Final I&A filed 1/11/16 indicates real property in Del Rey, CA, valued at \$350,000.00. Pursuant to a declaration filed 6/5/15, the mortgage on the property was seriously delinquent at the decedent's death and the Administrator paid out of pocket to stop the non-judicial foreclosure. Administrator is the sole heir; however, various creditor's claims have been filed.
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		<b>1. Need first account or petition for final distribution pursuant to Probate Code §12200 or written status report pursuant to Local Rule 7.5.</b>
<b>Inventory</b>		
<b>PTC</b>		<b>Reviewed by:</b> skc
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		<b>Reviewed on:</b> 9/21/16
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		<b>Updates:</b>
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		<b>Recommendation:</b>
<b>Conf. Screen</b>		
<b>Letters</b>		<b>File 27- Richardson</b>
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		